

Wetlands Bureau Decision Report

Decisions Taken
02/13/2006 to 02/19/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-02903 PORTSMOUTH, CITY OF **PORTSMOUTH Tidal Buffer Zone**

Requested Action:

Impact 180 square feet with the 100-foot tidal buffer zone to install and/or replace 90 linear feet of pipe, catch basin, and storm water discharge outlet through the existing granite block wall to properly convey storm water from the intersection of Pickering Ave. and South Mill Street.

CONFIRM EMERGENCY AUTHORIZATION:

Impact 180 square feet within the 100-foot tidal buffer zone to install and/or replace 90 linear feet of pipe, catch basin, and storm water discharge outlet through the existing granite block wall to properly convey storm water from the intersection of Pickering Ave. and South Mill Street.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04 (b), projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The project was necessary to eliminate flooding from storm events on Pickering Ave. and South Mill St. by replacing an existing catch basin for safe vehicular passage.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on December 6, 2004.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2005-00958 PERRY, ESTATE OF THOMAS **BARRINGTON Unnamed Wetland**

Requested Action:

Fill a total of 25,646 sq. ft. of wetland for six crossings and installation of drainage structures for the construction of a 41-lot residential subdivision on 134 acres. Approve as mitigation, a conservation easement on 32.8 acres of wetland and upland on the property, held by the Town of Barrington with Stewardship by the Barrington Conservation Commission.

Conservation Commission/Staff Comments:

Con. Com. did not report.

APPROVE RECONSIDERATION:

Fill a total of 25,646 sq. ft. of wetland for six crossings and installation of drainage structures for the construction of a 41-lot residential subdivision on 134 acres. Approve as mitigation, a conservation easement on 32.8 acres of wetland and upland on the property, held by the Town of Barrington with Stewardship by the Barrington Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated April 20, 2005, as received by the Department on May 9,

2005, Wetland Impact #6 plan by Schauer Environmental Consultants, LLC, as received by the Department on September 28, 2005, Wetland Impact #7 plan dated October 13, 2005 by TF Moran, Inc., as received by the Department on October 15, 2005, and conservation easement plans dated April 20, 2005 with revisions dated February 1, 2006, as received by the Department on February 3, 2006.

2. Any work within surface waters shall be done in the dry or during low flow.
3. Construction equipment shall not be located within surface waters.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
10. This permit is contingent upon approval by the DES Site Specific Program.
11. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

Wetland Preservation:

12. This permit is contingent upon the execution of a conservation easement on 32.8 acres as depicted on plans by TF Moran, Inc. dated April 20, 2005 with revisions dated February 1, 2006, as received by the Department on February 3, 2006.
13. The conservation easements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
14. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for the appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
15. The conservation easement area shall be marked by stakes and signs indicating the location and restrictions of the area prior to construction.
16. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
17. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major project pursuant to Administrative Rule Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 sq. ft. in the aggregate.
2. The applicant has adequately demonstrated that the proposal must cross wetlands at some locations on this property to access buildable uplands and has thereby demonstrated need as required by Wt 302.01(b).
3. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has adequately demonstrated need, avoidance, and minimization as required by Wt 302.01(b), Wt 302.03, and Wt 302.04(a)(2), respectively, by avoiding the large and higher value wetlands located in the center of the property and limiting impacts to narrow hillside drainage ways. Applicant has further minimized impacts by providing compensatory mitigation in the form of preservation of 32.8 acres of conservation easement, which exceeds the requirements of Administrative Rule Wt 803.05 Compensatory Mitigation Ratios.
5. The applicant has addressed the New Hampshire Fish & Game Department ("NHF&G") Nongame and Endangered Wildlife Program concerns with the effect the project will have on the species Blanding's turtle (*Emydoidea blandingii*) and the Spotted turtle (*Clemmys guttata*) by providing open space in the form of a conservation easement that includes habitat associated with the

two turtle species such as vernal pools.

6. The applicant has addressed the NH Natural Heritage Inventory identification of the State threatened plant American Plum (*Prunus americana*) and the State threatened plant Climbing Hempweed (*Mikania scandens*) by determining that these are more likely to be found closer to the Isinglass River.

7. On June 17, 2005, DES received comments from the Isinglass River Local Advisory Committee ("LAC") as it relates to this project. The LAC state that owners of lots 18, 34, and 35 "could not be expected to identify and use only the non-wetland areas for high impact activities" and recommended "reserving" lots 18, 35, and 34 on the property as mitigation. The applicant has provided adequate mitigation, in the form of a conservation easement on lot 50, which exceeds the requirements of Administrative Rule Wt 803.05 Compensatory Mitigation Ratios.

MINOR IMPACT PROJECT

2005-00554 LANDRY, RICHARD & DENISE
LACONIA Lake Winnisquam

Requested Action:

Applicant requests reconsideration based on new information documenting that the non-conforming deck is outside the jurisdiction of the Wetlands Bureau.

Conservation Commission/Staff Comments:

No Com Com comments by 6/8/05

Inspection Date: 10/24/2005 by Chris T Brison

APPROVE RECONSIDERATION:

Reconsider and approve request to: Remove two existing 4 ft x 20 ft cantilevered piers and install seasonal boatlift and a 6 ft x 63 ft seasonal pier attached to an existing 20 ft long retaining wall on an average of 132 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Watermark Navigation dated March 7, 2005, as received by the Department on March 25, 2005.
2. The existing cantilevered piers shall be completely removed and placed outside of the jurisdiction of the DES Wetlands Bureau prior to the installation of any new structures.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. These shall be the only structures on this water frontage and all portions of the dock and boatlift be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 63 ft from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), modification of a permanent pier.
2. The existing 12 ft x 20 ft deck is landward of the top of bank and is not within the jurisdiction established under RSA 482-A, therefore Rule Wt 402.20, Modification of Existing Structures is not applicable.
3. The applicant has an average of 132 ft of frontage on Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
5. This docking facility will provide 2 slips as defined per RSA 482-A:2 and therefore meets Rule Wt 402.12.

2005-01631 SULDENSKI, JOHN
SALISBURY Unnamed Wetland

Requested Action:

Dredge and fill a total of 2481 square feet of palustrine forested wetland including 10 feet of an intermittent stream for access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill a total of 2481 square feet of palustrine forested wetland including 10 feet of an intermittent stream for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated July 5, 2005, and revised through December 13, 2005, as received by the Department on December 16, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be done during no flow.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01741 PROULX, DENNIS
LACONIA Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 74 ft seasonal pier and construct a 6 ft x 80 ft permanent piling pier, construct a 3-pile ice cluster, install 2 tie-off piles and a seasonal boat lift on 81 ft of frontage in Laconia on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 4 ft x 74 ft seasonal pier and construct a 6 ft x 80 ft permanent piling pier, construct a 3-pile ice cluster, install 2 tie-off piles and a seasonal boat lift on 81 ft of frontage in Laconia on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans dated January 27, 2006 by Watermark Marine Construction.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. No portion of any docking structure shall extend over any property lines.
4. Seasonal boatlift and PWC lifts shall be removed for 4 months during the nonboating season.
5. Permanent pier shall extend no more than 80 ft from the reference line lake elevation 504.32.
6. Pilings shall be spaced at a minimum of 12 ft center to center.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), Construction of a dock that exceeds the design and construction criteria discussed at Wt 402.01 for minimum impact docks classified under Wt 303.04(p).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02083 COMEAU, JOHN/OLIVIA
PELHAM Unnamed Wetland

APPROVE AMENDMENT:

Dredge and fill 13,320 square feet of forested, scrub shrub and emergent wetlands for access to a 25 lot subdivision of which 4 lots are preservation land. Work includes installation of six access road culvert crossings and associated grading, roadway slope grading and filling of a previously constructed treatment swale. The applicant is providing wetland impact mitigation consisting approximately 38 acres of preservation land that includes 15.24 acres of uplands and 22.39 acres of wetlands, vernal pool easements on lots 10-10-11 and 10-10-12, and an amphibian crossing tunnel and an amphibian diversion walls connecting lots 10-10-11 and 10-10-12 to preservation lot 10-10.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc., revision date November 22, 2005, existing condition plans revision date October 25, 2005, as received by the Department on November 28, 2005 and narratives prepared by West Environmental Inc., as received by the Department on September 2, 2005 and November 28, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on review and approval, by the Department, of a final stream diversion/erosion control plan for installation of the box culvert at "Wetland Impact #6". Those plans shall detail the timing and method of stream flow diversion

during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

5. Native material removed from the streambed during installation of the box culvert at Wetland Impact #6, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
6. Post-construction photographs of all culvert crossings including photographs of inlets and outlets shall be submitted for review and approval by the Department within 60 days of the completion of construction.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
10. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
11. Work shall be done during low flow.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. Silt fencing must be removed once the area is stabilized.
14. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland and Upland preservation:

21. This permit is contingent upon preservation of approximately 38 acres (15.24 upland and 22.39 wetlands) through Town ownership and a warranty deed as depicted by plans and narratives received by the department on November 28, 2005 and narratives received on September 2, 2005.
22. The final deed language to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
23. The plan noting the preservation areas with a copy of the final language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of each recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
24. The Wetlands Bureau shall be notified by the applicant or Town of the placement of the preservation area by plaques or monuments to coordinate on-site review of their location prior to construction.
25. There shall be no placement of fill or construction of structures in the preservation areas, and storage of vehicles or hazardous materials is prohibited. Forest management and construction and maintenance of the proposed fire cisterns shall be allowed. Forest management activities shall comply with Condition #26 of this permit.
26. The cutting or removal of standing trees within the preservation areas shall be conducted only as part of the Forest Management Plan. Forest management activities shall be carried out in accordance with the Forest Management Plan prepared by a NH Licensed Forester for this property and will follow Best Management Practices for Erosion Control on Timber Harvesting Operations in New

Hampshire.

27. The deed language for lots 10-10-11 and 10-10-12 depicted on plans received November 28, 2005 that prohibits disturbance to the vernal pool and surrounding vegetation shall be submitted to DES prior to sale of those lots.
28. The amphibian tunnel and directional walls between preservation area C on lot 10-10 and lots 10-10-12 shall be constructed prior to sale of the affected lots.
29. A qualified professional shall oversee the construction of the amphibian tunnel and directional walls.
30. A post construction report on the amphibian passage structures shall be submitted to DES following completion of the structures.
31. Monitoring the effectiveness of the amphibian passage structures shall be carried out by a qualified professional for two breeding seasons following stabilization of the area. The report to be submitted to the department for review shall document whether the pool continues to be used by amphibians and the number of egg masses present each breeding season.
32. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of nontidal wetlands, nontidal surface waters, or banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant conducted an alternatives analysis for the 25 lot subdivision. The revised 25 lot subdivision proposal reduced the building lots to 21 with 4 lots of preservation land, reduced roadway width to 22 feet, utilized existing wood roads, proposal of a 6 foot x 4 foot box culvert and utilizes 2 to 1 roadway side slopes. The alternative proposal reduced the impacts to wetlands by approximately 7,900 square feet.
6. The applicant has provided wetland impact mitigation consisting of preservation of approximately 38 acres of land (15.24 acres of uplands and 22.39 acres of wetlands) within and adjacent to the proposed subdivision. The mitigation proposal also includes vernal pool easements on lots 10-10-11 and 10-10-12 and construction of an amphibian crossing tunnel and amphibian diversion walls that connect the vernal pool easement area to the large portion of the preservation land and vernal pool on lot 10-10.
7. The mitigation proposal meets and exceeds the minimum compensatory mitigation ratios in accordance with New Hampshire Code of Administrative Rule Wt 803.05.
8. The Pelham Conservation Commission is in favor of accepting the 38 acres of preservation land.
9. The Town of Pelham will have ownership of the preservation areas by warranty deed.
10. The Louis Berger Group, Inc. (Berger), completed a review for the Town of Pelham of an Environmental Impact Analysis (EIA) study prepared by West Environmental, Inc., dated August 2005, subdivision plans by Jones & Beach Engineers, Inc., dated October 10, 2005, a response to comments letter from West Environmental Inc., dated October 13, 2005, an Environmental Transaction Screen document prepared by Exeter Environmental, Inc., and draft Conservation Deed Restriction language.
11. Berger concluded in a letter to the Town of Pelham, dated October 17, 2005 that in general the EIA had been prepared with care and utilized good environmental planning practices. Additionally, several issues were discussed with West Environmental Inc., and were resolved in the project revisions. Berger stated that "We believe these modifications to the project design, open space and other mitigation strategies substantially enhances the long-term protection of important natural features of the site and have no further recommendations."
12. The applicant has revised the proposed project to address comments and input from the Town of Pelham Planning Board and Conservation Commission.
13. The Pelham Planning Board has approved the project.
14. The New Hampshire Fish & Game Department did not comment on the proposed project.
15. The New Hampshire Natural Heritage Bureau reviewed their database and found no recorded occurrences of sensitive species near the proposed project area.

Requested Action:

Impact of a total of 5,890 square feet of developed upland tidal buffer zone, including: permanent impacts of 1,869 square feet for the construction of three additions to an existing dwelling, reconstruction of an existing seawall, and construction of a patio; temporary impacts of 4,021 square feet for removal of impervious surfaces including two metal sheds and pavement.

Conservation Commission/Staff Comments:

Con. Com. recommends denial of project. The concerns have been addressed in the findings.

APPROVE PERMIT:

Impact of a total of 5,890 square feet of developed upland tidal buffer zone, including: permanent impacts of 1,869 square feet for the construction of three additions to an existing dwelling, reconstruction of an existing seawall, and construction of a patio; temporary impacts of 4,021 square feet for removal of impervious surfaces including two metal sheds and pavement.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants dated January 5, 2006, as received by the Department on February 6, 2006.
2. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
4. This permit is contingent upon approval of a Shoreland Waiver from RSA 483-B: 9, II, of the Comprehensive Shoreland Protection Act.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor project pursuant to Administrative Rule Wt 303.03(b), projects that involve work within 50 ft. of a saltmarsh.
2. The applicant has adequately demonstrated avoidance and minimization of impacts pursuant to Administrative Rule Wt 302.03 by reducing the original amount of impact within DES jurisdiction from 7,646 sq. ft. to 5,890 sq. ft.
3. The applicant has received a waiver from the requirements set forth in RSA 483-B:9 II(b) of the Comprehensive Shoreland Protection Act. The waiver is addressed under separate cover under DES Wetlands Bureau File# 2005-2103.
4. The Conservation Commission recommended denial of the project on September 15, 2005, for the following reasons: The applicant was not in compliance with RSA 483-B: 9 II(b) and the total amount of impacts of the property were not a reasonable request to grant approval. The Conservation Commissions concerns are addressed in findings #2 and #3 above.

2005-02220

MITTELMAN, GERALDINE

RYE Rye Harbor

Requested Action:

Amendment request to reduce the total impacts of 3,340 square feet within the previously developed 100-foot tidal buffer zone from 3,341 square feet.

Conservation Commission/Staff Comments:

The Rye Conservation Commission endorses the project.

Inspection Date: 09/09/2005 by Eben M Lewis

APPROVE AMENDMENT:

Amend and reduce the original impacts of 3,341 square feet of the 100-foot tidal buffer zone (TBZ) to impact a total of 3,340 square feet within the TBZ to include 2,068 square feet of permanent impact and 1,272 square feet of temporary impact for the removal of an existing shed, dwelling, and concrete walk, and the construction of a new dwelling, relocate the septic system

towards the tidal marsh, and permeable driveway on a single family residential lot of 0.09 acres.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated August 2005 and revised on January 10, 2006, as received by the Department on Sept 20, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on the approval of Comprehensive Shoreland Act Variance No. 2005-2189.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, for septic setback, or any other construction related activities.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Wt 303.02.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the wish to reconstruct the dwelling.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as there will be a reduction of the total square footage of structure on the property by 87 square feet and a new septic system. The existing septic system is near failure and poses a threat to both the abutters and the environment.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 9, 2005.
6. Pursuant to Wt 304.04, the applicant is required to obtain written concurrence for impacts within 20-feet of the boundary lines of the following property owners: Collier, Ray Tax Map 9.2 Lot 11; Foss, Rye Tax Map 9.2 Lot 12; and Holihan, Rye Tax Map 9.2 Lot 15.
- 7; and McCrae Trust, Rye Tax Map 9.2 Lot 13.
7. Applicant only received written concurrence from Collier and none of the other aforementioned abutters.
8. Because the applicant made a good-faith effort by using certified mail to obtain written consent from those abutter, the applicant is seeking a waiver from Wt 304.04.
9. Based on the field inspection the Department hereby waives Wt 304.04, with the finding that the aforementioned properties will not suffer any negative environmental impacts as a result of the proposed project and will actually be benefited by the septic system replacement.
10. NH Natural Heritage Bureau (NHNHB) has record of two natural communities, Brackish marsh and High salt marsh. NHNHB also has record of two state threatened plant species within the project vicinity, Beach Grass (*Ammophila breviligulata*) and Salt-marsh-Gerardia (*Agalinis maritima*). NHNHB has record of one endangered plant species within the project vicinity, Dwarf Glasswort (*Salicornia bigelovii*). NHNHB has record of one vertebrate species within the project vicinity, Black-crowned Night-heron (*Nycticorax nycticorax*).
11. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant/animal species.
12. DES received a request to amend the original permit to included impacting a total of 3,340 square feet within the TBZ from the original impact amount of 3,341 square feet to relocate the septic system closer to the tidal marsh.

2005-02263 LAWRENCE, CHARLES
TILTON Unnamed Wetland

Requested Action:

Dredge and fill 4825 square feet of palustrine forested wetland including installation of three 15-inch x 25 foot culverts for access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill 4825 square feet of palustrine forested wetland including installation of three 15-inch x 25 foot culverts for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Turtle Pond Enterprises dated January 18, 2006, as received by the Department on January 20, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during low flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. This access is the only way to reach the buildable portion of the lot.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The access is proposed along an existing logging road access.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02507 WENTWORTH COVE REALTY LLC
ALTON Unnamed Wetland

Requested Action:

Approve reconsideration to grant the request of the applicant to hold the application in abeyance until July 1, 2006, for the development of mitigation in accordance with Administrative Rules Chapter Wt 800.

APPROVE RECONSIDERATION:

Hold the application in abeyance until July 1, 2006, for the development of mitigation in accordance with Administrative Rules Chapter Wt 800.

With Findings:

1. The applicant has agreed to submit the required information by July 1, 2006. The applicant understands that if the information is not complete by this date the application will be denied.
2. The applicant understands the information that is lacking with the application and will submit the required mitigation information.

2005-02861 MARCEAU, EMMANUEL
LANCASTER Unnamed Wetland

Requested Action:

Dredge and fill 5,000 square feet of palustrine forested wetlands to construct a fire pond for a 15 lot subdivision.

Conservation Commission/Staff Comments:

Fire pond requested by fire chief for 15-lot subdivision that was approved for 480 square feet of wetlands impact, file 2002-00719.

APPROVE PERMIT:

Dredge and fill 5,000 square feet of wetlands to construct a fire pond for a 15 lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Mark Vanderheyden, as received by the Department on December 1, 2005.
2. All work shall be done in the dry or frozen conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall not be located within surface waters.
5. Machinery shall be staged and refueled in upland areas.
6. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), construction of a pond with less than 20,000 square feet of very poorly drained wetlands impact.
2. Fire pond construction was suggested by Town of Lancaster Fire Chief.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02879 LINDT AND SPRUNGLI (USA) INC
STRATHAM Unnamed Wetland

Requested Action:

Dredge and fill a 7,090 sq. ft. lobe of palustrine forested/scrub-shrub wetlands on the edge of a larger wetland/upland complex to construct a portion of an access roadway required for the expansion of the existing manufacturing and warehousing facility.

Conservation Commission/Staff Comments:

No report received from the Stratham Conservation Commission.

Inspection Date: 01/04/2006 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a 7,090 sq. ft. lobe of palustrine forested/scrub-shrub wetlands on the edge of a larger wetland/upland complex to construct a portion of an access roadway required for the expansion of the existing manufacturing and warehousing facility.

With Conditions:

1. All work shall be in accordance with plans by Maguire Group, Inc. dated 10/26/05, as received by the Department on December 02, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 04, 2006. Field inspection determined the impact is required for the proposed facility expansion and will not adversely affect the adjacent wetlands complex.

2005-02912 LOW, MARCIA
TUFTONBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing 6 ft by 25 ft seasonal dock and construct a 6 ft by 25 ft permanent piling supported dock in the same location on 77 ft of frontage on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com has submitted several comments on the proposal.

APPROVE PERMIT:

Permanently remove an existing 6 ft by 25 ft seasonal dock and construct a 6 ft by 25 ft permanent piling supported dock in the same location on 77 ft of frontage on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on January 18, 2006.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The minimum clear spacing between pilings shall be 12 feet.

6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a permanent 2 slip dock.

MINIMUM IMPACT PROJECT

2005-00878 WELDON, MARK
PITTSFIELD Unnamed Pond

Requested Action:

Retain 150 square feet of palustrine forested dredge for the construction of a wildlife pond.

APPROVE AFTER THE FACT:

Retain 150 square feet of palustrine forested dredge for the construction of a wildlife pond.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01875 PORT WEDELN ASSOCIATION
WOLFEBORO Lake Winnepesaukee

Requested Action:

Request to waive Wt 303.04(aa)(4) to allow an one additional beach replenishment of 10 cubic yards of sand within the 6 year time frame.

Request to construct allan block retaining wall 50 feet by 1 feet to perch existing beach

Request to replenish existing 1495 sq.ft. beach with 10 cubic yards of sand above high water on average of 650 ft of frontage on Winter harbor, Lake Winnepesaukee previously approved on May 27, 2003.

APPROVE PERMIT:

Waive Wt 303.04(aa)(4) to allow an one additional beach replenishment of 10 cubic yards of sand within the 6 year time frame.

Construct allan block retaining wall 50 feet by 1 feet to perch existing beach

Replenish existing 1495 sq.ft. beach with 10 cubic yards of sand above high water on average of 650 ft of frontage on Winter

harbor, Lake Winnepesaukee previously approved on May 27, 2003.

With Conditions:

1. Work shall be done in accordance with plans received by NH Soil Consultants, Inc. dated November 3, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work authorized shall be carried out in such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. No more than 10 cubic yards of sand may be used and all sand shall be located above the normal high water line.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. The natural rocks at the shoreline or in the water shall not be disturbed from this project.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. This permit shall not preclude the DES from taking enforcement action or revocation action if DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be done in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet)
13. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
14. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

With Findings:

1. Waiver granted pursuant to Wt 204.02 with a finding that on July 19, 2005 an emergency authorization was granted by DES to address upstream drainage issue that caused scouring and washout of the property including the beach.
2. To prevent erosion, the existing beach will be perched incorporating an Allan block retaining wall.
3. A 4-inch perforated drainpipe will be incorporated into the retaining wall to facilitate drainage and eliminate erosion potential.
4. Only 16% of the shoreline of this lot will be impacted.
5. The entire project is setback outside of the 20 -feet setback to property lines.

2005-02647 GREAT MOUNTAIN VIEW LLC
WINDHAM Tributary To Beaver Brook

Requested Action:

Dredge and fill 2,000 sq. ft. in palustrine scrub-shrub wetlands and a perennial stream crossing to install 50 linear feet of 10 ft. wide, three-sided precast box culvert to construct a roadway to access a 46-lot residential subdivision on a 126 acre parcel of land.

Conservation Commission/Staff Comments:

The Windham Conservation had concerns regarding the potential adverse effect of the project on the aquatic habitat of Beaver Brook including the State listed endangered Brook Floater Mussel and were opposed to the project. These issues have been addressed by the applicant to the satisfaction of of the DES and NH F&G to abate these concerns.

APPROVE PERMIT:

Dredge and fill 2,000 sq. ft. in palustrine scrub-shrub wetlands and a perennial stream crossing to install 50 linear feet of 10 ft. wide, three-sided precast box culvert to construct a roadway to access a 46-lot residential subdivision on a 126 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated 10-13-05 revised on 2-9-06, as received by

the Department on February 10, 2006.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Proper headwalls shall be constructed within seven days of box culvert installation.
12. Work shall be done during low flow.
13. Per request of the NH Fish & Game Department, areas of residential lawn adjacent to the brook will be restored to natural riparian vegetation.
14. The Vernal Pool Monitoring Protocol submitted by Gove Environmental Services, Inc. dated February 8, 2006 and received by the Wetlands Bureau on February 14, 2006 shall be implemented prior to start of construction in the spring of 2006. Annual reports on the findings shall be submitted to the Wetland Bureau and the Windham Conservation Commission on or before August 1 each year for the 5-year duration of the permit.

With Findings:

1. The Windham Conservation had concerns regarding the potential adverse effect of the project on the aquatic habitat of Beaver Brook including the State listed endangered Brook Floater Mussel and were opposed to the project. These issues have been addressed by the applicant to the satisfaction of the DES and NH F&G to abate these concerns.

2005-02756 286 SEABROOK REALTY TRUST, LORI DUNLAP TTEE
SEABROOK Tidal Buffer Zone

Requested Action:

Excavate, grade, construct a structure or otherwise alter terrain in a total of 4,000 sq. ft. of previously developed upland tidal buffer zone including a permanent impact of 800 sq. ft. to construct an addition to an existing building and 3,200 sq. ft. of temporary impacts for utilities installation.

Conservation Commission/Staff Comments:

No report received from the Seabrook Conservation Commission.

APPROVE PERMIT:

Excavate, grade, construct a structure or otherwise alter terrain in a total of 4,000 sq. ft. of previously developed upland tidal buffer zone including a permanent impact of 800 sq. ft. to construct an addition to an existing building and 3,200 sq. ft. of temporary impacts for utilities installation.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. (Shts 1&2 of JBE Project No. 04096), as received by the Department on November 16, 2005.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Area of temporary impact shall be regraded to original contours following completion of work.

4. There shall be no further alteration of area(s) within DES wetlands jurisdiction for lot development, driveways, or other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. All work is more than 50 feet landward of the Highest Observable Tide Line (CSPA reference line).
2. The new addition will not be any closer to the tidal wetland than the existing building or parking lot currently is.
3. The new addition will be constructed over an area which is now paved.
4. There will be no additional impervious area on the lot due to the approved construction.

2005-02845 NH DEPT OF TRANSPORTATION
MILFORD Unnamed Stream Hartshorn Pond

Requested Action:

Dredge 30 ft. x 50 ft. (800 sq. ft.) of a culvert inlet to a 24 in. culvert under NH Rte. 13 to relieve flooding.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Dredge 30 ft. x 50 ft. (800 sq. ft.) of a culvert inlet to a 24 in. culvert under NH Rte. 13 to relieve flooding. NHDOT project #2005-M510-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 4/20/05 as received by the Department on November 30, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Work shall be done during low flow.
11. Work area shall be limited to those areas necessary to reduce flooding.

2005-02852 NH DEPT OF TRANSPORTATION
AUBURN Lake Massabesic

Requested Action:

Retain 12 in. culvert under road, Replace 12 in. culvert along road shoulder, construct a catch basin at a sinkhole site and install a short 12 in. culvert at inlet.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Retain 12 in. culvert under road, Replace 12 in. culvert along road shoulder, construct a catch basin at a sinkhole site and install a short 12 in. culvert at inlet. NHDOT project #2005-M513-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT revised 1/13/06 as received by the Department on Jan. 19, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. NO Appropriate siltation/erosion/turbidity controls shall be placed westerly of the road to protect any sensitive species.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The existing grass swale shall remain to provide treatment prior to flow entering the 12 in. culvert.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Extreme precautions to be taken within riparian areas to prevent ANY removal of vegetation westerly of the road.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed at the inlet within seven days of culvert installation.
11. Work shall be done during NO flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(j), projects within the right of way of a public road meeting certain criteria including not altering any species of communities identified by the Natural Heritage Inventory.
2. On December 22, 2005, the Wetlands Bureau requested modifications to the plans after consulting with the Natural Heritage Bureau.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02853 NH DEPT OF TRANSPORTATION
DERRY Unnamed Wetland Beaver Brook

Requested Action:

Dredge 500 sq. ft. of an intermittent stream to clean an outlet area between a 30 in. culvert and a wetland.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Dredge 500 sq. ft. of an intermittent stream to clean an outlet area between a 30 in. culvert and a wetland. NHDOT 2005-M528-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT revised 10/26/05 as received by the Department on November 29, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized.

4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

2005-02860 HOUSING AUTHORITY OF THE TOWN OF SALEM
SALEM Unnamed Wetland

Requested Action:

Dredge and fill 454 sq. ft. of palustrine scrub-shrub wetlands in an isolated pocket to provide access to a proposed senior housing project.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed the project and recommends approval of the application.

APPROVE PERMIT:

Dredge and fill 454 sq. ft. of palustrine scrub-shrub wetlands in an isolated pocket to provide access to a proposed senior housing project.

With Conditions:

1. All work shall be in accordance with plans by Jeffrey C. Orchard Environmental Consultant, as received by the Department on November 30, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. It was determined that there is no issue regarding adjacency to designated prime wetlands associated with this project.

FORESTRY NOTIFICATION

2006-00176 GLIDDEN, WINSTON
WHITEFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Whitefield Tax map 213, Lot# 15 & 16

2006-00221 SWITALSKI, GLORIA
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham Tax Map 1, Lot# 24

2006-00224 COMEAU, DANIEL
DALTON Unnamed Wetland

COMPLETE NOTIFICATION:
Dalton Tax Map 408, Lot# 91, 92 & 93

2006-00226 HEARTWOOD FOREST FUND IV,LP C/0 MATT SAMPSON
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:
Success Tax map 1613, Lot# 10

2006-00228 MELCHER, MICHAEL
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 407, Lot# 39-40

2006-00264 TURPIN JR, ESTATE OF CHARLES
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map R2, Lot# 1B,51D

2006-00265 PRATT, HEATHER
TEMPLE Unnamed Stream

COMPLETE NOTIFICATION:
Temple Tax Map 5A, Lot# 10, 11 & 15

EXPEDITED MINIMUM

2005-02918 WEINER, JOEL
PETERBOROUGH Unnamed Wetland

Requested Action:

Temporary impact of approximately 200 square feet of palustrine emergent wetlands (wet meadow) for temporary access for construction and the installation of municipal water and sewer lines and electric utility lines for the construction of a five unit condominium building and associated parking on an approximately 1.15-acre parcel.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Temporary impact of approximately 200 square feet of palustrine emergent wetlands (wet meadow) for temporary access for construction and the installation of municipal water and sewer lines and electric utility lines for the construction of a five unit condominium building and associated parking on an approximately 1.15-acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Clough Harbour & Associates, LLP dated February 3, 2006, as received by the DES Wetlands Bureau on February 3, 2006.
2. Concrete footings for the timber foot bridge shall be constructed in uplands in accordance with plans received by the DES Wetlands Bureau on February 3, 2006.
3. This permit shall not be effective until it has been recorded with the County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of this lot shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, or culverts.
6. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands, particularly where the proposed building and sidewalk are being constructed immediately adjacent to wetlands.
7. All work shall be done during low flow.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. During excavation for the installation of utility lines, topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
14. The retention basin outlet shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
15. Construction access and utility crossings shall be limited to the 24-foot construction entrance area as depicted on the approved plans.
16. Wetlands shall be restored to their pre-construction conditions within the accessway, including restoration of original grades and replanting with a wetlands seed mix of native wetlands species, within 5 days of backfill.
17. The accessway shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the accessway is not adequately stabilized and restored.
18. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with the

DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the accessway during this same period.

19. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

20. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.

21. Faulty equipment shall be repaired prior to entering jurisdictional areas.

22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

24. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Temporary impacts are required for construction access and the installation of municipal water and sewer lines and electric utility lines for the construction of a five unit condominium building.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The applicant has proposed the construction of a five unit condominium building on uplands surrounded by wetlands. The building will be accessed from a parking area in adjacent uplands via a timber foot bridge which spans the wetlands.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has demonstrated that additional stormwater runoff to the on-site wetlands from the development of the property is minimal.

6. Runoff from the paved parking area will be directed to an shallow retention basin located in uplands.

7. The applicant has demonstrated that the proposed onsite retention basin is adequate to completely retain the 2-year storm event.

8. The subject property is served by municipal sewer and water.

9. Per Wt 304.04, the applicant provided a written agreement from the abutter concurring with wetlands impacts within 20 feet of the property line.

10. The NH Natural Heritage Bureau and the NH Fish and Game Department's Nongame and Endangered Wildlife Program did not have record of any rare or endangered species near the project area.

11. The proposed project occurs within one-quarter mile of the Contoocook River, a Designated River protected under RSA 483. The Local Advisory Committee was notified of the proposed project on January 10, 2006 but did not comment within the comment period.

2005-02955 SAUNDERS REVOCABLE TRUST, MARY E
NORTH HAMPTON Unnamed Stream

Requested Action:

Impact 2,800 square feet of forested wetland for access to one single family residential lot as part of a 4-lot subdivision.

WITHDRAW APPLICATION:

The applicant submitted revised plans indicating no impacts to jurisdictional areas, thereby the applicant requests to withdraw the application.

2005-03031 CURRAN, RANGER
KEENE Unnamed Stream

Requested Action:

Dredge and fill 75 square feet of an intermittent stream (25 linear feet along the thread of the channel) and 360 square feet of associated palustrine emergent wetlands (wet meadow) to install one (1) 15-inch x 20-foot culvert to construct a common driveway for access to two (2) lots of a 9-lot residential subdivision on an approximately 80 acre parcel with approximately 54 acres of open space.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 75 square feet of an intermittent stream (25 linear feet along the thread of the channel) and 360 square feet of associated palustrine emergent wetlands (wet meadow) to install one (1) 15-inch x 20-foot culvert to construct a common driveway for access to two (2) lots of a 9-lot residential subdivision on an approximately 80 acre parcel with approximately 54 acres of open space.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc. dated January 19, 2006 (revised), as received by the DES Wetlands Bureau on January 23, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. All work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is

performed during periods of non-flow.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of a common driveway for access to two (2) lots of a 9-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The subdivision was configured to minimize wetlands impacts by constructing a common driveway to access two (2) lots and avoiding additional wetlands crossings.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed subdivision consists of eight (8) buildable lots approximately 26 acres in total area and approximately 54 acres of open space.
6. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2006-00059 DESROCHERS, JOHN
DALTON Unnamed Wetland

Requested Action:

Dredge and fill 600 square feet of wetlands to install a 22-inch x 40-foot HDPE culvert for driveway access to a single family building lot.

Conservation Commission/Staff Comments:

Fish and Game emphasized the use of sediment controls.

Proposed project is over 1,320 linear feet of the edge of the Connecticut River and therefore out of designated river are of interest.

APPROVE PERMIT:

Dredge and fill approximately 600 square feet of wetlands to install a 22-inch x 40-foot plastic culvert for driveway access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Desrochers Construction Inc. as received by the Department on January 09, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during low or no flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), alteration of less than 3,000 square feet of wetland to permit vehicular access to a piece of property for a single family building lot.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2006-00095 PSNH, DONALD DIBUONO
CONCORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 200 square feet for installation of utility line further described as follows: Permanently 10 square feet for installation of utility poles and temporarily impact 190 square feet for construction envelope.

Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill a total of 200 square feet for installation of utility line further described as follows: Permanently 10 square feet for installation of utility poles and temporarily impact 190 square feet for construction envelope.

With Conditions:

1. All work shall be in accordance with plans by Public Service of NH dated January 3, 2006, as received by the Department on January 17, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Area of temporary impact shall be regraded to original contours following completion of work.
7. Mulch within the restoration area shall be straw.
8. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2006-00266 HOLLIS, TOWN OF
HOLLIS Unnamed Stream

COMPLETE NOTIFICATION:

Hollis Tax Map 38, Lot# 1

2006-00267 HOLLIS, TOWN OF
HOLLIS Parker Brook

COMPLETE NOTIFICATION:

Hollis Tax Map 37, Lot# 5

SHORELAND VARIANCE / WAIV

2005-03026 FELCH, MICHAEL & LINDA
NASHUA Nashua River

PERMIT BY NOTIFICATION

2005-01837 HANSON, RONALD
MIDDLETON Sunrise Lake

Requested Action:

Amend Permit Description - Repair 79 linear feet of existing retaining wall and replenish 400 square feet of beach along the east portion of 79 feet frontage on Sunrise lake in Middleton.

Conservation Commission/Staff Comments:

Permit amendment needed because of inaccurate scale on plans that resulted in inaccurate measurements in permit description.

Inspection Date: 01/26/2006 by Chris T Brison

APPROVE AMENDMENT:

Amend permit to read: Repair 79 linear feet of existing retaining wall and replenish 400 square feet of beach along the east portion of 79 feet frontage on Sunrise lake in Middleton.

With Conditions:

1. All work shall be in accordance with plans by J.S. Yurick dated June 25, 2005, as received by the Department on October 26, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa), replenishment of sand on a existing beach.
2. Permit amendment required to correct inaccurate measurements in permit description that resulted from inaccurate scale on plans.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00083 SANBORN, JOANNE
ALTON Lake Winnepesaukee

Requested Action:

Repair existing crib supported 7 ft x 40 ft permanent pier an related facility on 175 ft of frontage in Alton on Lake Winnepesaukee.

PBN IS COMPLETE:

Repair existing crib supported 7 ft x 40 ft permanent pier an related facility on 175 ft of frontage in Alton on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00089 OJA TRUST, REINO & ANNE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove 4 ft x 10 ft pier and install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 4 ft concrete pad on 100 ft of frontage in Moultonborough on Lake Winnepesaukee.

COMPLETE NOTIFICATION:

Remove 4 ft x 10 ft pier and install a 6 ft x 40 ft seasonal pier hinged to a 6 ft x 4 ft concrete pad on 100 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier.

2006-00150 ELLYSON COMPANY
BATH Unnamed Wetland

Requested Action:

Dredge and fill 1,200 square feet of forested and scrub-shrub wetlands to install a 36-inch x 40-foot CMP culvert for driveway access to a single family building lot.

Conservation Commission/Staff Comments:

Conservation Commission comments discussed, see phone note 2/14/06 and both 2/15/06.

Fish and Game had no concerns.

APPROVE PERMIT:

Dredge and fill 1,200 square feet of forested and scrub-shrub wetlands to install a 36-inch x 40-foot CMP culvert for driveway access to a single family building lot.

2006-00196 ROCHELEAU, LISA & LYNE
ROCHESTER Unnamed Stream

Requested Action:

Construct a driveway to cross a perennial stream using 24 inch R.C.P. for a culvert. A typical rock header wall will be installed on both sides of the driveway around the culvert.

Conservation Commission/Staff Comments:

Conservation Commission did not sign application.

PBN IS COMPLETE:

Construct a driveway to cross a perennial stream using 24 inch R.C.P. for a culvert. A typical rock header wall will be installed on both sides of the driveway around the culvert.

2006-00259 DAVIS, GEORGE
SURRY Unnamed Stream Wetlands

PBN DISQUALIFIED:

PBN DISQUALIFIED

2006-00269 RISTAGNO, CHARLES
RYE Unnamed Pond

Requested Action:

Dredge approximately 7,500 square feet of a man-made pond on a single family residential lot of 6.36 acres.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Permit By Notification.

PBN IS COMPLETE:

Dredge approximately 7,500 square feet of a man-made pond on a single family residential lot of 6.36 acres.